



**PATENT**  
**P-5727**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S): S. Tsang et al.

SERIAL NO.: 10/760,048

GROUP: 1634

FILING DATE: January 16, 2004

EXAMINER:

FOR: DETECTION OF ENTEROVIRUS NUCLEIC ACID

The Commissioner of Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

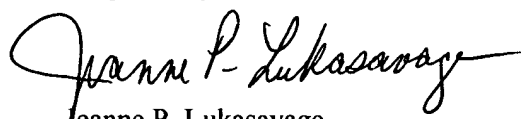
Sir:

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C. 20231	
ON:	<u>August 31, 2004</u> (DATE OF DEPOSIT)
BY:	<u>Donna M. Baumann</u> (NAME OF DEPOSITOR)
<u>Donna M. Baumann</u> (SIGNATURE)	<u>8-31-04</u> (DATE)

**TRANSMITTAL OF MISSING PARTS**

This communication is in response to the Notice to File Missing Parts of Application dated May 6, 2004. The missing part of the application was designated as the Declaration and Power of Attorney for Patent Application. Enclosed is a Declaration and Power of Attorney for Patent Application fully executed by the named inventor(s). Replacement drawings were also requested. Enclosed are the replacement drawings (7 sheets). Kindly charge Deposit Account No. 02-1666 for the surcharge of \$130.00 in accordance with 37 CFR 1.16(e).

Respectfully submitted,

  
Jeanne P. Lukasavage  
Attorney for Applicants  
Reg. No. 45,172

Becton, Dickinson and Company  
1 Becton Drive  
Franklin Lakes, New Jersey 07417  
201-847-7111



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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/760,048	01/16/2004	Shirley Tsang	P-5727

26253  
 BECTON, DICKINSON AND COMPANY  
 1 BECTON DRIVE  
 FRANKLIN LAKES, NJ 07417-1880

CONFIRMATION NO. 8719

## FORMALITIES LETTER



\*OC000000012537390\*

Date Mailed: 05/06/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 1.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes

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no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

  
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PART 2 - COPY TO BE RETURNED WITH RESPONSE